

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Frederic Tarte et al.

Appln. No.: 10/556,664

Filed: 11/9/05

For: A STEERING WHEEL

Attorney Docket No: 12400-050

Attn: Donna S. Greene

Art Unit: Unknown

Confirmation No. 8557

**PETITION UNDER 37 C.F.R. §1.181(a) REQUESTING  
WITHDRAW OF THE HOLDING OF ABANDONMENT**

**(RESPONSE TO THE NOTIFICATION OF MISSING  
REQUIREMENTS TIMELY FILED)**

Petitioners hereby respectfully request the Director to withdrawal the holding of abandonment in the above-referenced application since the response to the notification of Missing Requirements mailed September 27, 2006 (Form PCT/DO/EO/905) was timely filed on October 17, 2006 and, in fact, there has been no abandonment of the application.

Petitioners respectfully submit the following in support of this request:

1. The two-month time period for response set forth in this notice ran from September 27, 2006 until November 27, 2006 or by thirty-two months from the priority date for the application.
2. Petitioners' attorney properly and timely responded to the notification of Missing Requirements on October 17, 2006 via facsimile which is attached as Exhibit A, for which a patent office Auto-Reply Facsimile Transmission was received. A copy of the Auto-Reply Facsimile Transmission is attached as Exhibit B; A copy of Petitioner's facsimile Transmission Verification Report is attached as Exhibit C;

3. Since the Auto-Reply Facsimile Transmission provides *prima facie* evidence that the response to the notification of Missing Requirements was timely filed by the Petitioners and received by the Office, there has in fact been no abandonment of this application;
5. Petitioners first became aware of the holding of abandonment when the Office issued a Notification of Abandonment on January 31, 2008, indicating that a response to the notification of Missing Requirements had not been timely filed;
6. This Petition is being timely made since it is being submitted within one month of the issuance of the Notification of Abandonment;
7. Since this is a Petition under 37 C.F.R. § 1.181(a), no fee is required.

In view of the foregoing, it is respectfully submitted that Petitioners have established a *prima facie* case that the response to the notification of Missing Requirements was timely filed and received by the Office and that there has in fact been no abandonment of this application. The granting of this request for withdrawal of the holding of abandonment is therefore warranted.

Respectfully submitted,

/Steven L. Oberholtzer/  
Steven L. Oberholtzer (Reg. No. 30,670)

February 21, 2008  
Date

SLO/mc

Attachments: Exhibit A: Petitioner's Response to Notification of Missing Requirements;  
Exhibit B: Copy of Auto-Reply Facsimile Transmission  
Exhibit C: Copy of Petitioner's facsimile Transmission Verification Report

**EXHIBIT A**

**FACSIMILE COVER SHEET**

Date: October 17, 2006  
To: US Patent and Trademark Office  
Fax: (571) 273-8300  
From: Steven L. Oberholtzer  
Tel. No: (734) 302-6000  
Our Ref.: USSN 10/556,664  
Our Ref.: 12400-050  
Total No. of Pages: 10

Confirmation To Follow: Yes: No: X

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,  
PLEASE CALL (734) 302-6000 Melissa Collins

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

COVER MESSAGE

**BRINKS  
HOFER  
GILSON  
& LIONE**

A Professional Corporation  
Intellectual Property  
Attorneys

524 South Main St., Suite 200  
Ann Arbor, Michigan 48104  
Facsimile 734-994-6331  
Telephone 734-302-6000

Chicago, IL  
San Jose, CA  
Indianapolis, IN  
Arlington, VA

## EXHIBIT A

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8		
I hereby certify that this correspondence, totaling 10 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no. 571-273-8300 (Central number) on the below date:		
Date: <u>October 17, 2006</u>	Name: <u>M. Collins</u>	Signature: <u>[Signature]</u>

BRINKS  
HOFER  
GILSON  
& LIONE

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Frédéric Tarte et al.

Appln. No.: 10/556,664

Filed: 11/9/05

For: A STEERING WHEEL

Attorney Docket No: 12400-050

Examiner: Unknown

Art Unit: Unknown

Commissioner for Patents  
U.S. Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION (FILING DATE GRANTED)

Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted mailed September 27, 2006, "Part 2" of which is attached, enclosed herewith for filing is a fully-executed, combined Declaration for Patent Application and Power of Attorney (3 sheets) for the above-referenced patent application.

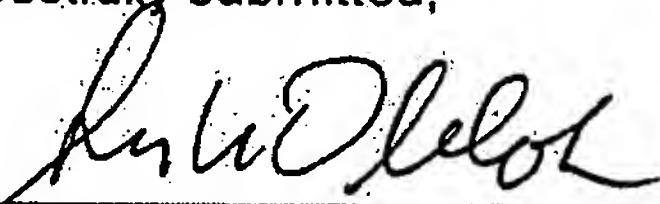
Applicant has calculated the fees associated with the filing of this Response as follows:

- ☐ A basic filing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. §1.16(a).
- ☐ An additional filing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. §1.16(b), (c) and/or (d).
- ☒ A surcharge in an amount of \$130.00 under 37 C.F.R. §1.16(e).
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. §1.136(a).

The above fee(s) are being paid as follows:

- ☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$130.00.
- ☐ A payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,



Steven L. Oberholtzer (Reg. No. 30,670)

October 17, 2006

Date

SLO/mc

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Date: <u>October 17, 2006</u>	Name: <u>M. Collins</u>	Signature: <u>[Signature]</u>

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Frédéric Tarte et al.  
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- ☐ An additional filing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. §1.16(b), (c) and/or (d).
- ☒ A surcharge in an amount of \$130.00 under 37 C.F.R. §1.16(e).
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. §1.136(a).



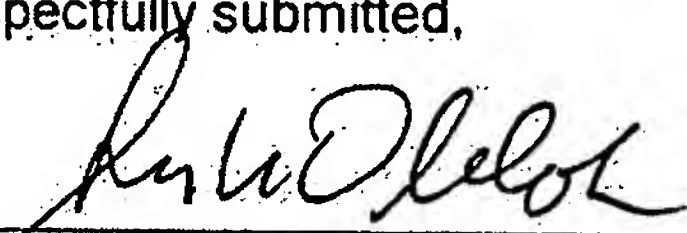
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- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,

October 17, 2006

Date

  
Steven L. Oberholtzer (Reg. No. 30,670)

SLO/mc



## UNITED STATES PATENT AND TRADEMARK OFFICE

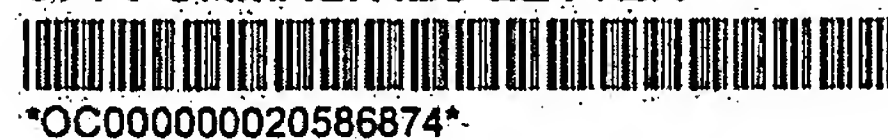
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/556,664	Frederic Tarte	12400-050

757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610

INTERNATIONAL APPLICATION NO.	
PCT/SE04/00642	
I.A. FILING DATE	PRIORITY DATE
04/28/2004	05/12/2003

CONFIRMATION NO. 8557  
 371 FORMALITIES LETTER



\*OC000000020586874\*

Date Mailed: 09/27/2006

11- 22- 06  
 11- 27- 06

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/11/2005
- Copy of the International Search Report filed on 11/11/2005
- Copy of IPE Report filed on 11/11/2005
- Preliminary Amendments filed on 11/11/2005
- Information Disclosure Statements filed on 11/11/2005
- Oath or Declaration filed on 11/11/2005
- U.S. Basic National Fees filed on 11/11/2005
- Priority Documents filed on 11/11/2005
- Specification filed on 11/11/2005
- Claims filed on 11/11/2005
- Abstracts filed on 11/11/2005
- Drawings filed on 11/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the



missing items identified in this letter:

**EXHIBIT A**

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,664	PCT/SE04/00642	12400-050

# EXHIBIT A

Attorney Docket No.: 12400-050

Autoliv Development AB Case No.: SP-08852 WO

## DECLARATION AND POWER OF ATTORNEY ORIGINAL APPLICATION

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor or an original, first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled:

### A STEERING WHEEL

the specification of which (check one)  
is attached hereto.

X was filed on November 9, 2005 as United States Application Serial No. 10/558,664 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose to the United States Patent and Trademark Office all information that I know to be material to the patentability of this application as defined in Title 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Not Claimed

0310866.9  
(Number)

Great Britain  
(Country)

12 May 2003  
(Filing Date)

☐

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

# EXHIBIT A

Attorney Docket No.: 12400-050

**Autoliv Development AB Case No.: SP 08852 WO**

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States applications(s), or Section 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/SE2004/000642

(Application Serial No.)

28 April 2004

(Filing Date)

Pending

(Status: patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status: patented, pending, abandoned)


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners associated with the customer number printed below as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, and to act on my behalf before the competent International Authorities in connection with any and all international applications filed by me.

**USPTO Customer No. 00757**

**Address all correspondence and telephone calls to:**

Steven L. Oberholtzer, Esq.  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(734) 302-6000

Full name of sole or first inventor <b>Frédéric Tarte</b>	
Sole or first inventor's signature 	Date <b>03/10/2006</b>
Residence <b>7, allée du Terroir, F-86580 Biard, France</b>	
Citizenship <b>French</b>	
Post Office Address <b>Same as Above</b>	

# EXHIBIT A

Attorney Docket No. 12400-050  
Autoliv Development AB Case No. SP 08852-WO

Full name of second inventor, if any	
Pascal Lemasson	
Second inventor's signature	Date: 09 Oct 2006
Residence	86430
22 Route de la croix Girault, F-86000 St. Georges les Baillargeaux, France	
Citizenship	
French	
Post Office Address	
Same as Above	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

TO: Auto-reply fax to 7349946331 COMPANY:

EXHIBIT B

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 7349946331

Fax Information:

Date Received:

10/17/2006 3:53:23 PM [Eastern Daylight Time]

Total Pages:

10 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

10/17/2006 07:54 7349946331 B42L		PAGE 01/10
<b>FACSIMILE COVER SHEET</b>		
Date:	October 17, 2006	<b>BRINKS HOFER GILSON &amp; LIONE</b>  A Professional Corporation Intellectual Property Attorneys  624 South Main St., Suite 200 Ann Arbor, Michigan 48104 Facsimile 734-302-6000 Telephone 734-302-6000  Chicago, IL San Jose, CA Indianapolis, IN Arlington, VA
To:	US Patent and Trademark Office	
Fax:	(571) 273-8300	
From:	Steven L. Oberholzer	
Tel. No:	(734) 302-6000	
Our Ref.:	USSN 10/556,664 Our Ref.: 12400-050	
Total No. of Pages:	10	
Confirmation To Follow:	Yes: No: X	
IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL (202) 802-6000, Attention: Office		
THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.		
COVER MESSAGE		
PAGE 010* RCV'D AT 10/17/2006 3:53:23 PM [Eastern Daylight Time] * BY USPTO-EPTRF-417 * DMS:2738300 * CSID:7349946331 * DURATION (min-sec):02-34		



## TRANSMISSION VERIFICATION REPORT

## EXHIBIT C

TIME : 10/17/2006 02:56  
NAME : BHGL  
FAX : 7349946331  
TEL : 7343026000  
SER. # : BR0L5J387455

DATE, TIME	10/17 02:54
FAX NO./NAME	15712738300
DURATION	00:02:17
PAGE(S)	10
RESULT	OK
MODE	STANDARD ECM

## FACSIMILE COVER SHEET

Date: October 17, 2006  
To: US Patent and Trademark Office  
Fax: (571) 273-8300  
From: Steven L. Oberholtzer  
Tel. No: (734) 302-6000  
Our Ref.: USSN 10/556,664  
Our Ref.: 12400-050  
Total No. of Pages: 10  
Confirmation To Follow: Yes: No: X

**BRINKS  
HOFFER  
GILSON  
& LIONE**

A Professional Corporation  
Intellectual Property  
Attorneys

524 South Main St., Suite 200  
Ann Arbor, Michigan 48104  
Facsimile 734-994-6331  
Telephone 734-302-6000

Chicago, IL  
San Jose, CA  
Indianapolis, IN  
Arlington, VA

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